

BACKGROUND

Actions Taken Today

Surescripts has barred ReMy Health's access to its health information network, effective immediately, has initiated the process of terminating its contract with ReMy Health, and is in the process of turning the matter over to the FBI. We are taking this action after an investigation that showed ReMy Health gave one or more of its customers unauthorized access to the Surescripts network. This violates ReMy Health's contract with Surescripts and, moreover, appears to be linked to fraudulent activity by either ReMy Health or the customers in question or both. This fraudulent activity appears to violate multiple federal and state laws.

Details on Contract Violation

ReMy Health, a third-party vendor, contracted with Surescripts to give providers access to patients' complete medication history, in addition to other information relevant to electronic prescribing and prescription benefits. Medication history information is to be used by providers when delivering care to support clinical decision-making before prescribing new medications or during the normal process of provider-discharge planning for patients leaving a hospital or health system. This information can reveal a lot about an individual's health status, including the most sensitive of healthcare conditions, so its appropriate handling is extremely important.

Surescripts first began investigating ReMy Health last fall when we saw unusual activity on our network: almost all of ReMy Health's requests for patient medication history were coming from one National Provider Identifier (NPI), a number issued to healthcare providers by the federal government. At that time, we alerted ReMy Health and they assured us that the requests for information were from providers caring for patients in hospitals and that they would work to correct the issue and fill the NPI field appropriately.

After ReMy Health assured us that they had fixed the problem, we discovered that, contrary to their representations to us, ReMy Health has been providing access to medication history information to its customer PillPack. PillPack is not a hospital or a physician providing clinical care for patients, and therefore could not contract with Surescripts for this service. Although PillPack has its own NPI, we never received medication history requests that included their NPI.

Details on Fraudulent Behavior

Upon further investigation, we discovered that someone was fraudulently achieving the transfer of prescription history information to PillPack for patients who had registered with their service. Rather than using PillPack's NPI (which it uses for electronic prescribing), PillPack's requests for medication history included an NPI for a different health care provider. Further investigation has revealed that in at least some instances PillPack's requests included the NPI of a random health care provider in the same geographic area as the patient rather than the NPI of a health care provider who has actually seen the patient. The full extent of this misappropriation of NPIs and the number of ReMy Health's customers impacted is still under investigation by Surescripts, and we are hopeful that the FBI will be able to obtain additional information through its investigation.

Surescripts has spent nearly 20 years establishing trusted relationships and legal agreements with hundreds of data suppliers and EHR vendors across the country to securely exchange health information. These agreements ensure that the information we exchange is only used for patient care

and not for the commercial benefit of any one data supplier. These agreements also help ensure that patient data is properly secured.